

REMARKS

Entry of the foregoing amendments, and reexamination and reconsideration of the subject application, pursuant to and consistent with 37 C.F.R. § 1.104 and § 1.112, and in light of the following remarks, are respectfully requested.

Amendments

Claim 34 has been amended to more particularly recite the cooperation of the bias of the lamp with respect to the facia, as supported at least at the paragraph bridging pages six and seven and sheet four of the figures. Claim 37 has been corrected as suggested by the examiner. No new matter is presented.

Rejection under 35 U.S.C. §102(b)

The rejection of claims 34-37, 41-44, 49-51, and 56-58 as anticipated by Birk (*et al.*) is respectfully traversed.

The rejection alleges that Birk describes a lamp being resiliently biased to provide access behind the facia. However, even prior to this amendment, claim 34 recites the bias as resilient "such that the lamp may be moved away from the facia." Birk teaches (col. 5, ln. 43-52) that "the terminal 34 biases the inner sleeve 60 against the flange 68 of the outer sleeve 58, and the stepped and large diameter regions 78, 80 of the inner sleeve abut against and brace the fingers against inward radial movement." Thus, while the Birk lamp bias is acting the lamp cannot be moved away from the facia; it is only when the entire lamp/facia assembly is removed (shown in Fig. 8) that one can move the lamp away from the facia to replace it. By contrast, applicant's claim allows for the lamp to be moved away from the facia without disassembly. As more particularly recited by this amendment, the lamp rests on and is biased towards a ledge (104) in the front facia (76) whereby one can move the lamp against the bias, enabling a finger or tool to be inserted behind the front facia to pull the facia away from the support surround (12). This arrangement allows the lamp to be changed through the front of the assembly. Birk clearly does not show such a structure, as that assembly must be removed entirely to access the lamp.

Rejection under 35 U.S.C. §103(a)

The rejection of claims 37-40 and 45-48 as obvious over Birk is respectfully traversed. First, the cases cited do not support the broad proposition that any possible shape is obvious. For example, in *Dailey* the examiner had cited art showing the

particular slit opening in the nipple applicant had claimed and for the same problem. *In re Dailey*, 149 U.S.P.Q. 47, 50 (C.C.P.A. 1976). In the present rejection, none of the cited art appears to show other than a circular cross-section, and if the rejection is maintained, the Office is requested to provide objective support for the rejection. 37 C.F.R. §1.104(c)(2) and §1.104(d)(2).

The rejection of claims 52-55 as obvious over the combination of Birk and Winkelhake is respectfully traversed. The rejection incorrectly characterizes the structure and disclosure in Winkelhake as biasing the lamp towards the front facia when it is actually the front facia that is biased. That the direction of bias would bring the lamp and facia together is irrelevant to the claimed structure in which the bias of the present claim is specifically recited as urging the lamp. In Winkelhake there is no disclosure of any bias applied to the lamp.

Conclusion

In light of the foregoing remarks, entry of these amendments and withdrawal of the rejections is believed to be proper and warranted, and so further and favorable action, in the form of an allowance of the present claims, is again solicited.